Before the Board of Zoning Adjustment, D. C.

Application No. 11719 of Francis X. Barry, Executor, pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit a change of non-conforming use from retail sales of plumbing parts to retail sales of automotive parts, as provided by Section 7104.2 and 7109 of the regulations, in the R-4 Zone, at 442 N Street, N. W., first floor, known as lot 853, Square 513.

HEARING DATE: November 26, 1974
EXECUTIVE SESSION: January 21, 1975

FINDINGS OF FACT:

1. The proposed use is a C-1 Zone retail use which is of the same type as the existing non-conforming use and is permitted in the most restrictive district in which the existing non-conforming use is located.

2. The structure to be used on the subject property as a C-1 retail establishment contains 2,500 square feet of gross floor area.

3. No repairs will be conducted at the subject property.

4. The only storage located on the premises would be incidental to the retail sales use on the subject property.

5. No objections were registered at the Public Hearing of this application.

CONCLUSIONS OF LAW AND OPINION:

Based upon the foregoing Findings of Fact, and the record, the Board concludes that requested permission for change of non-conforming use is proper within the meaning of Sections 7104.2 and 7109 of the regulations, and absent any objections, notice of this hearing be duly affectuated, that the granting of this application would not adversely affect the use of nearby and adjoining property.

ORDERED:

That the above application be and is hereby GRANTED.

VOTE:

4-0 (Mr. Klauber not voting, not having heard the case)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: _____
                          JAMES E. MILLER
                          Secretary to the Board

FINAL DATE OF ORDER: FEB 12 1975

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX
MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY
PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT
WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF
THIS ORDER.